

In response to Council Member Hitchcock, Mr. Morrow stated the action falls within the umbrella agreement and is more of a housekeeping measure.

MOTION/VOTE:

The City Council, on motion of Council Member Hitchcock, Hansen second, unanimously adopted Resolution No. 2007-183 authorizing the City Manager to execute a Master Energy Purchase and Sale Agreement with PPM Energy, Inc., of Portland, Oregon.

- E-18 "Set Public Hearing for September 19, 2007, to ~~Introduce~~ the Lodi Solar Rebate Program to Become Effective January 1, 2008"

This item was pulled for further discussion by Mayor Pro Tempore Mounce.

In response to Mayor Pro Tempore Mounce, Mr. Morrow stated an exact surcharge may be necessary because utilizing existing reserves does not help increase cash reserves and improve financial standing. Mr. Morrow also discussed similar surcharges by other cities for public benefit programs, requirements of Senate Bill 1, fixed number to earn \$600,000 per year for three years, and the public hearing process regarding the same.

In response to Council Member Hitchcock, Mr. Morrow confirmed that the program is state mandated without a funding mechanism.

In response to Council Member Katzakian, Mr. Morrow stated the application to residential is approximately \$2.80.

MOTION/VOTE:


The City Council, on motion of Council Member Hitchcock, Johnson second, **set** public hearing for September 19, 2007, to introduce the Lodi Solar Rebate Program to become effective January 1, 2008. The motion carried by the following vote:

Ayes: Council Members – Hansen, Hitchcock, Katzakian, and Mayor Johnson

Noes: Council Members – Mounce

Absent: Council Members – None

F. COMMENTS BY THE PUBLIC ON NON-AGENDA ITEMS

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- Robin Rushing spoke of his concerns regarding increases in his monthly utility bill for City services.
 - Dianne Nantt spoke of her concerns regarding interactions with City staff regarding opening businesses within City limits, grease traps, sign requirements, theater company inspection, and Head Start rented space. She suggested guidelines be provided to new businesses.
 - Barbara Flockhart spoke of her concerns regarding redevelopment and suggested attendance at a conference regarding redevelopment abuse.
 - Donna Phillips spoke of her concerns regarding noise, safety, and security around Lodi Lake and requested improvements regarding the same. In response to Mayor Johnson, Ms. Phillips stated continuing police patrol presence is limited because of the number of parks and enforcement is minimal. City Manager King stated staff will review status of the same.
 - Jerry Glenn spoke in support of the Lodi Adopt-A-Child program and urged City Council participation in the Shopping Spree event to be held on October 13, 2007.

G. COMMENTS BY CITY COUNCIL MEMBERS ON NON-AGENDA ITEMS

- Mayor Pro Tempore Mounce wished Council Member Katzakian and City Manager King a Happy Birthday.
- Council Member Hansen reported on his attendance at the San Joaquin Council of Governments and Northern California Power Agency meetings. He specifically discussed the Measure K strategic plan, high speed rail meeting scheduled for September 18, 2007, and status of the CT-1 Roseville project.

Over the course of the last 11 years, I have opened 3 businesses in the City of Lodi. What I have found frustrating is the city's lack of specific requirements for opening a business. In talking with others, I find that they are equally frustrated and angered by the process. I have some examples for these concerns, but, I also have a possible solution, which I will address at the end.

1. I opened a tea room in 2001. I asked the Building Dept. what was required, and was told to go across the **street** and get a business license. Several months after I had opened, I received a call from a gentleman from public works. I was told that a grease trap was needed. I asked why I wasn't told this from the beginning.

After a brief discussion I explained I didn't produce any grease and the matter was resolved. Obviously, he had never stepped foot in my establishment, but yet all of a sudden there were "rules".

There was another issue with the signage. I owned the property that was made up of two parcel numbers. When getting the final approval for the signs, I was told that I couldn't have two different signs unless the parcels were consolidated into one parcel number. After consulting an attorney, who told me not to do that, the City finally relented, if I made one of the signs a directional one. Once, again, this was not stated at the beginning of the permit process and the request has no basis in logic.

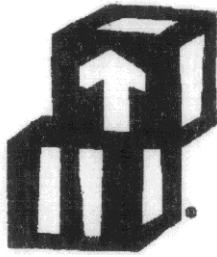
2. Friends of mine wanted to open a small theater company, and went to the City to find out what type of requirements were needed (i.e. exits, bathrooms, etc.). They were told to rent the space **first** and then the City could **let** know. Well, that's scary and downright fiscally irresponsible.

3. I **am** a member of the United Congregational Christian Church. The Head Start Program has rented our classrooms for 28 years. As the Board Chair, I received a call this past week from Head Start informing the Church that the City Fire inspector, Jeri Christiano would not approve the fire clearance due to a usage issue. In February, the inspector informed Head Start that an additional exit would be needed. The church then agreed to rent 2 additional rooms that would accommodate this request. Head Start then got the approval of the State Fire Marshal but, the City Fire Inspector came up with other issues that could not be referenced by any codes or regulations. Per the request of the inspector, Head Start must now incur the cost for submitting architectural drawings to the Building Dept. Why, after 28 years, is there suddenly an issue. A letter was sent to Ms. Christiano, from Head **Start** on Aug. 22nd, and no reply has been received. This impacts the low-income children of this community who are due to start next week.

My intent with all of this information is that those of us in the community who provide a service **and/or** contribute to the sales **tax** revenue are, at times, put through unnecessary hassles and must incur unexpected costs because of a lack of published guidelines and codes. I realize that the City may have staffing and time issues and so I would like to volunteer my time and work with the City to provide informational packets to prospective new businesses. I have a sample that I would like to submit and I hope to hear from the appropriate department if my help is needed.

Diane Nantt

712-5435



HEAD START CHILD DEVELOPMENT COUNCIL, INC.

SAN JOAQUIN COUNTY
2451 Country Club Blvd.
STOCKTON, CALIFORNIA 95204
Telephone (209) 466-5541
Fax (209) 466-7300
www.hsods.org

August 22, 2007

Jeri Christiano
Fire Inspector
City of Lodi Fire Department
23 East Pine Street
Lodi, California 95240

I am hi receipt of your correspondence regarding the fire clearance and your concerns.

As you indicated in your letter, today I did go to the Building Department and they were unable to provideme with any codes or information regarding the buildings original plans, use, occupancy requirements etc. The gentleman who handles commercial buildings indicated that I go back to you with regards to the information you stated was necessary as he didn't know why the request took place.

My concern is that when you first visited the facility in February 2007 your comments to state licensing (see attached) was that the clearance was denied based upon an insufficient exit due in part at that time we didn't have access to the existing toddler room. There was no mention made in that communication relating to any building plans, change of use and or occupancy. You also make reference in your letter of 8/22/07 that we are adding on 2 rooms belonging to the church requiring approval for a change. That would be an erroneous statement as the whole building belongs to the church of which we lease 80%. Additionally, the preschool room we wished to have licensed was previously the old preschool room which was licensed. The church has not utilized this room in anyway and remained a meeting and storage room for our agency since its original licensure in 1979.

When we took possession of the school in 1979 its intended use was and still remains a school (see attached original architectural drawings). We have not altered the building since its inception, nor exceeded its current occupancy and or use as it relates to the church. In addition with both Title 5, Title 22 and the Federal Government Performance Standards these requirements were met and the center cleared for licensure by the State Department of Social Services, Community Care.Licensing which is Title 22 required and meeting your department's standards as well.

I am now told by the Building Department that an architect ~~must~~ be hired, with all specifications listed on the drawings and submitted to the building department based not upon their request but upon yours. He was unable to at this time provide me with any regulations or codes that would be explanatory in any manner outlining this requirement and simply stated it was per your request.

Because we are a federally funded agency, before we can honor any requests for such drastic changes and incur financial obligations the grantee must be informed of what code requirements and source documentation this falls into so that the agency suffers no loss or liability from this requested provision and that the codes that this requested change falls into runs in concert with the your requested changes. Please provide information as to grandfather clauses of such buildings considering Head Start has had exclusive use of the building since 1979 and the church utilizes the building only during specified times as agreed upon for Sunday school with no commercial usages since both the church and the agency are 501C3 private not for profit organizations.

We will need you to submit to us a copy of the current fire clearance for the building (as it relates to the church) and its inspection dates would also be helpful in determining why these changes were not addressed throughout this time. Please also be apprised the whole building was cleared in its original state and continued to be cleared with its existing pull stations both front and back, its alarm system and each room has been maintained with a 2A10BC fire extinguisher or higher along with each room having its own smoke detector both prior to and after licensing. The Head Start program started with only 2 rooms and then expanded to the following 2 rooms without the above requested provisions and was issued again another fire clearance.

Please provide us with the above requested material so that we can see where and why this request has been generated given we have not altered the building, changed location, altered or added any church rooms, have not exceeded the buildings entire occupancy limit, and or changed any part of its original design and usage.

Your prompt consideration in this matter would be greatly appreciated.

Sincerely,



Jo Ann Madrid

Compliance Coordinator

Cc: Gloryanna Rhodes, Executive Director
Kate Dargan, State Fire Marshall
Verne Person, Fire Marshall



**CITY OF LODI
FIRE DEPARTMENT**

25 EAST PINE STREET
LODI, CALIFORNIA 93240
ADMINISTRATION (209) 333-6735 FIRE PREVENTION (209) 333-6739
FAX (209) 333-6844



Verns Person
Fire Marshal

Michael E. Pratt
Fire Chief

Kevin Connolly
Operations Chief

George Jueich
Battalion Chief

Jeff Larson
Battalion Chief

Ron Penix
Battalion Chief

Ron Heberle
Training Officer

FAX COVER SHEET

TO: Lodi Unified Communities Center, 1140 S. Street
ATTN: Patricia Aguilar - Site Director
RE: Fire Exit Request - Room 4
FAX # (209) 367-5794
FROM: Jeff Larson (209) 333-6735 DATE: 2/22/06
NUMBER OF PAGES BEING TRANSMITTED: 1 (Including Cover Sheet)

COMMENTS: No Answer
The Fire Exit Request for Room 4 has been
Denied. Sent back to Community Care Licensing due to
insufficient exit ways. Two exits are required. One
of the exits available is not currently part of the
licensed facility or request. Also Fire Alarm Requirements
are still under review. I will contact you with
this information once it becomes available.

Thank you,

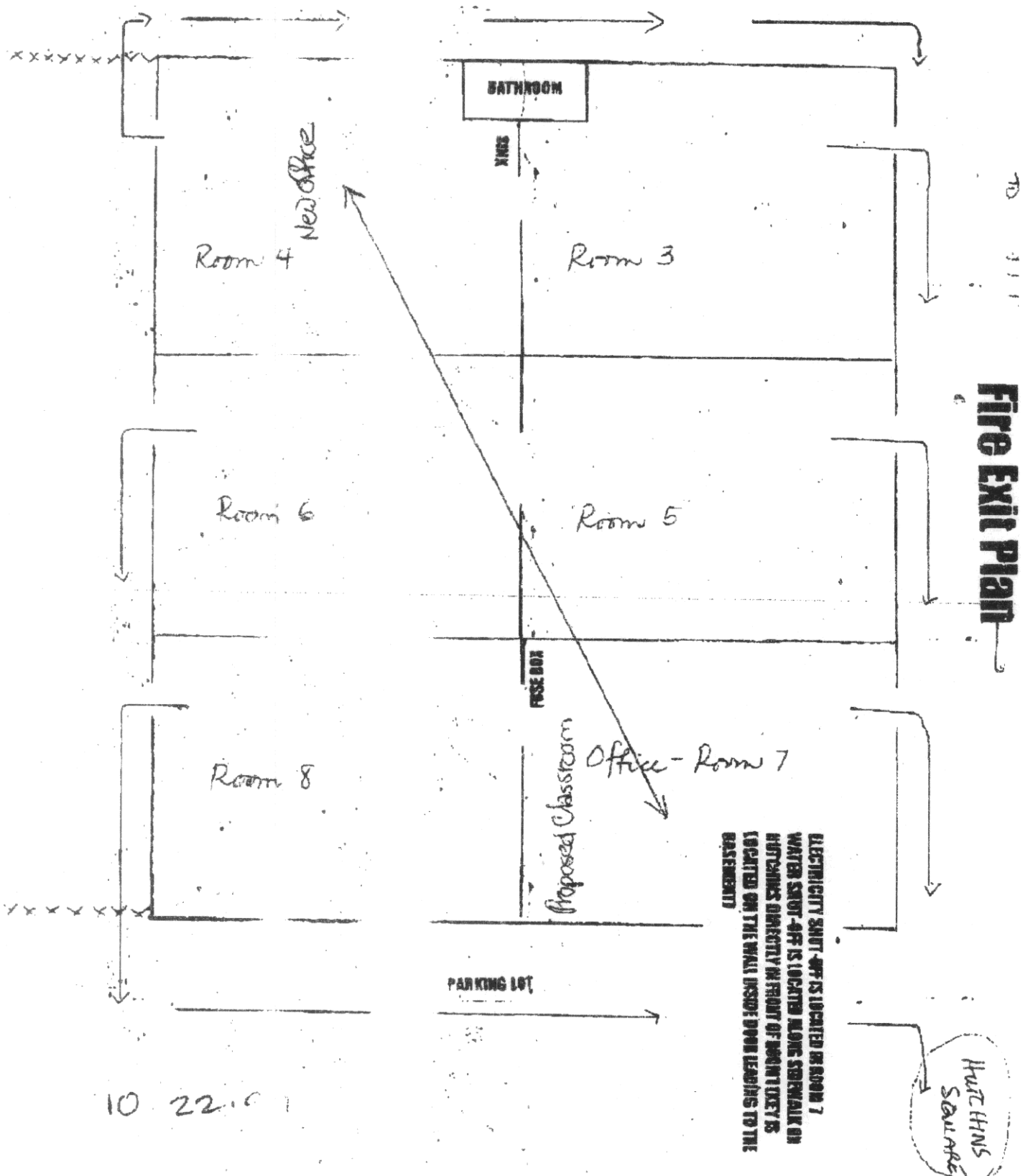
Jeff Larson, Lodi Fire Dept.

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RIVER CITY CHILDCARE

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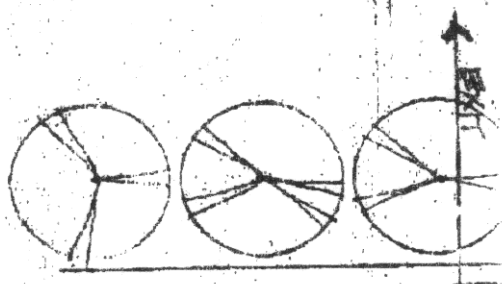


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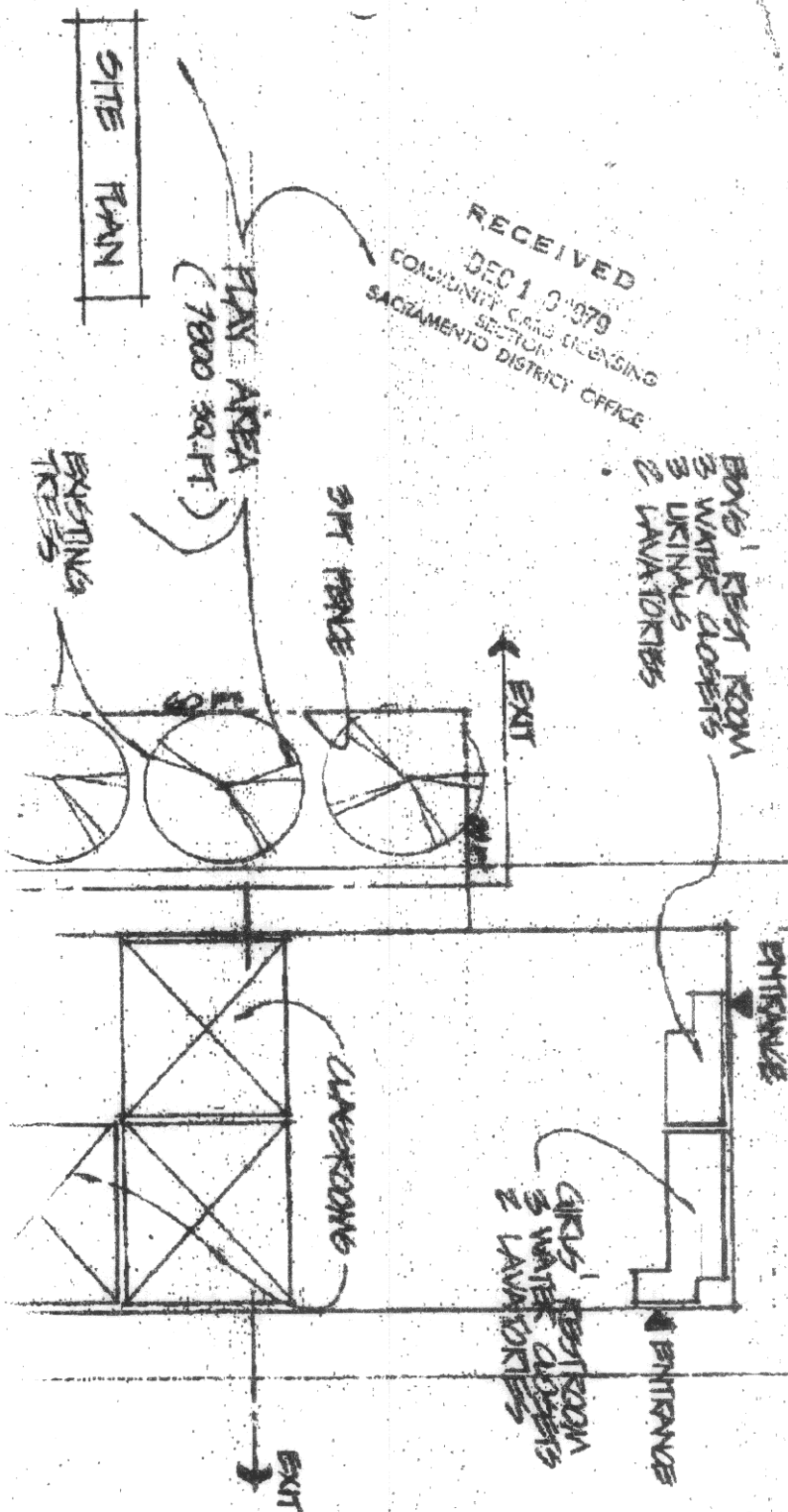
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RIVER CITY CHILDCARE

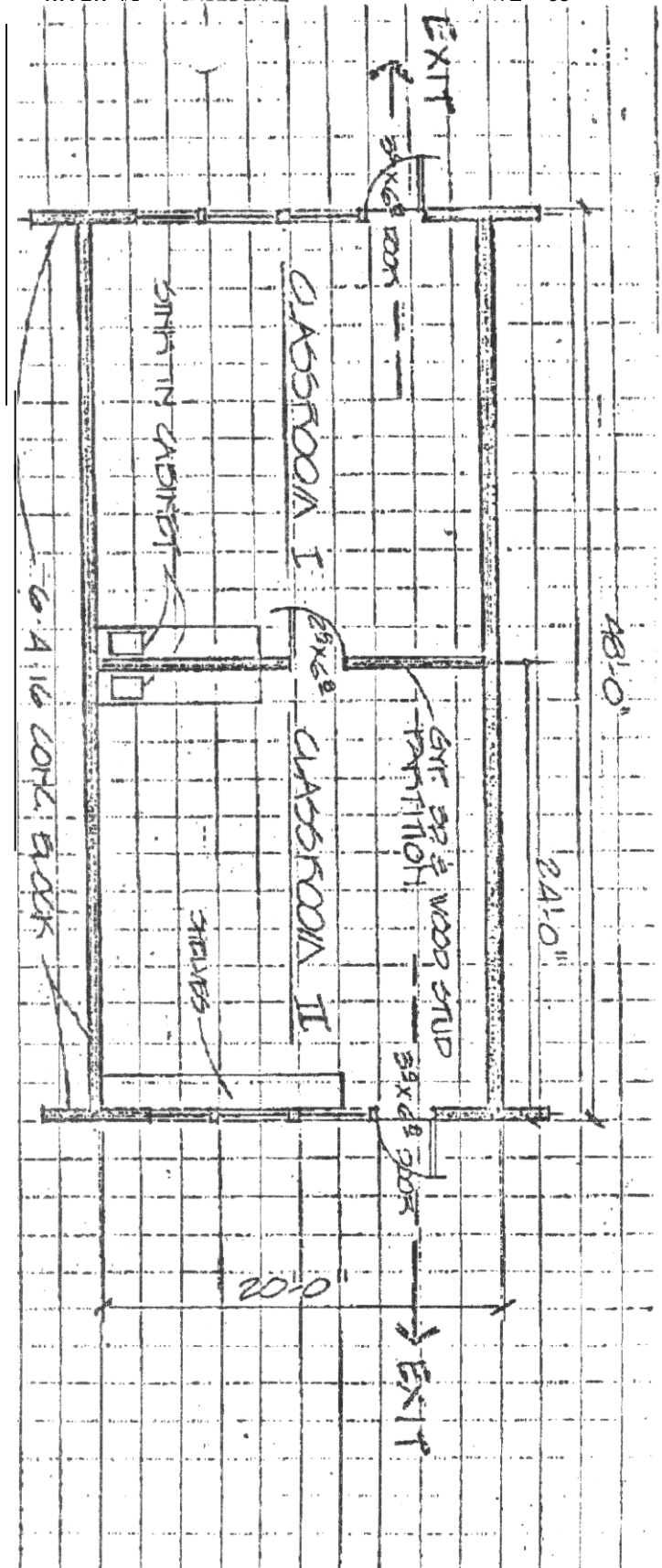
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SCALE: 1" = 20'



RECEIVED
DEC 13 2009
COMMUNITY CARE LICENSING
SECTION
SACRAMENTO DISTRICT OFFICE



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OCCUPANCY

TEACHERS, AID

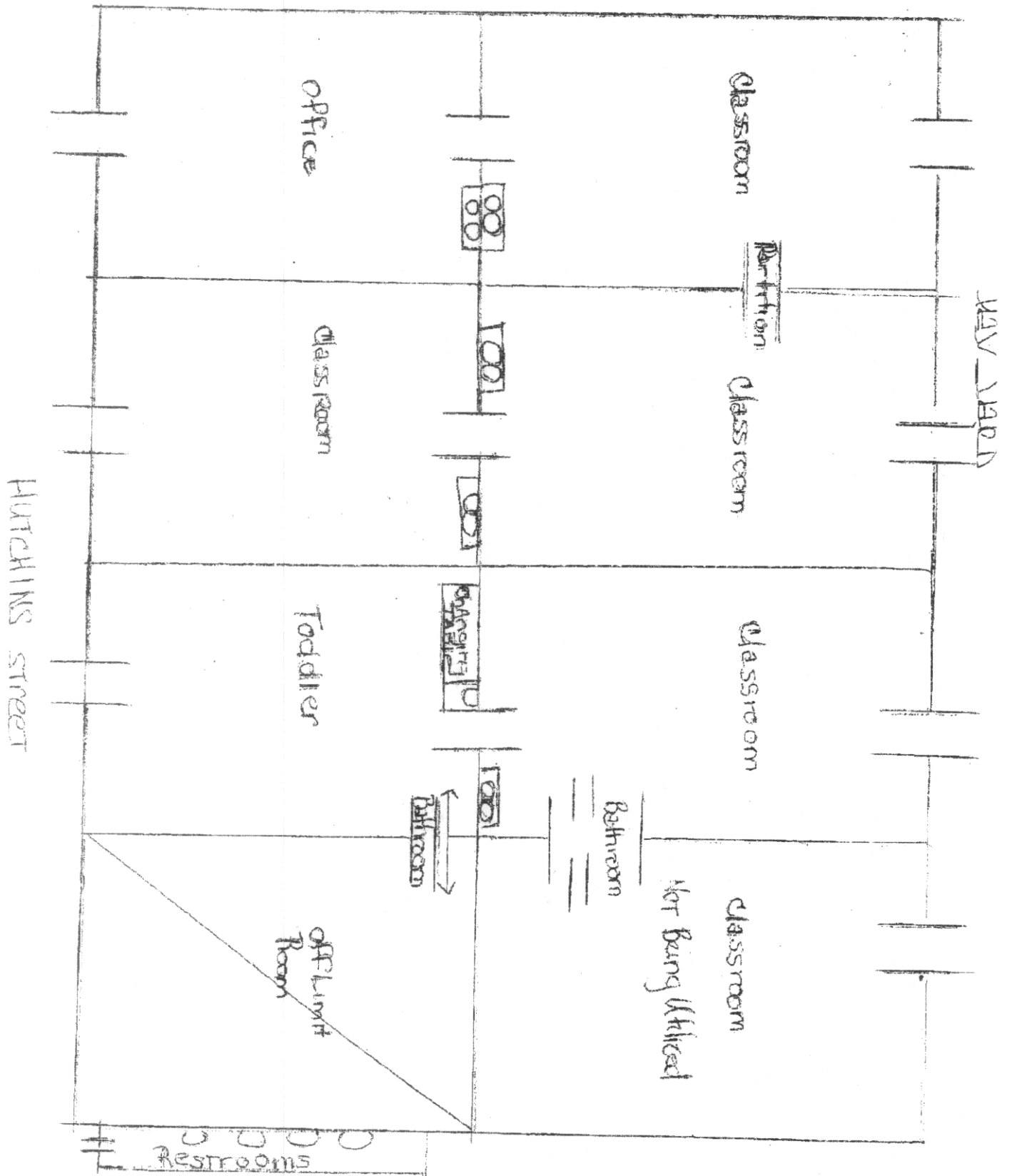
STUDENTS

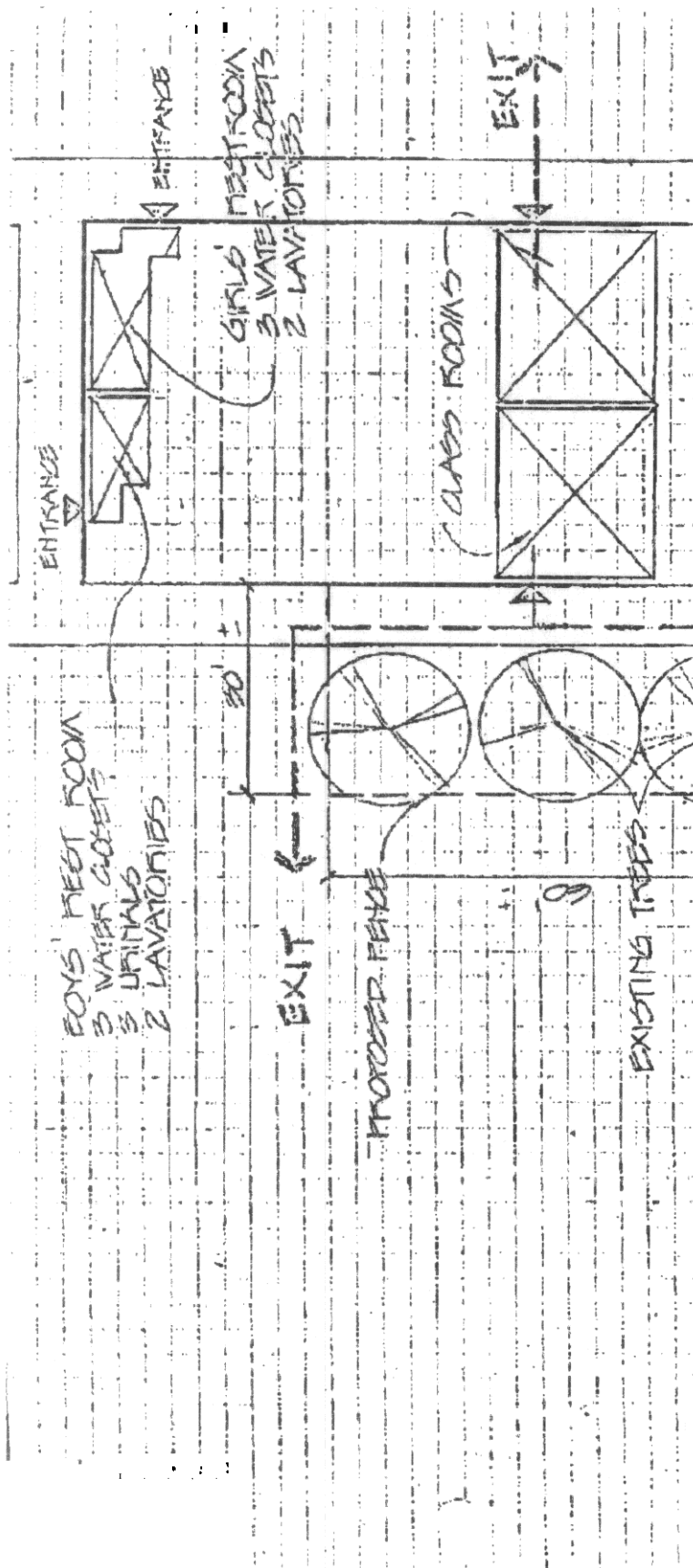
AREA RATIO - 25 SQ. FT. PER OCCUPANT

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PREPARED BY

JOHN EDWARD AGUIRRE ARCHT



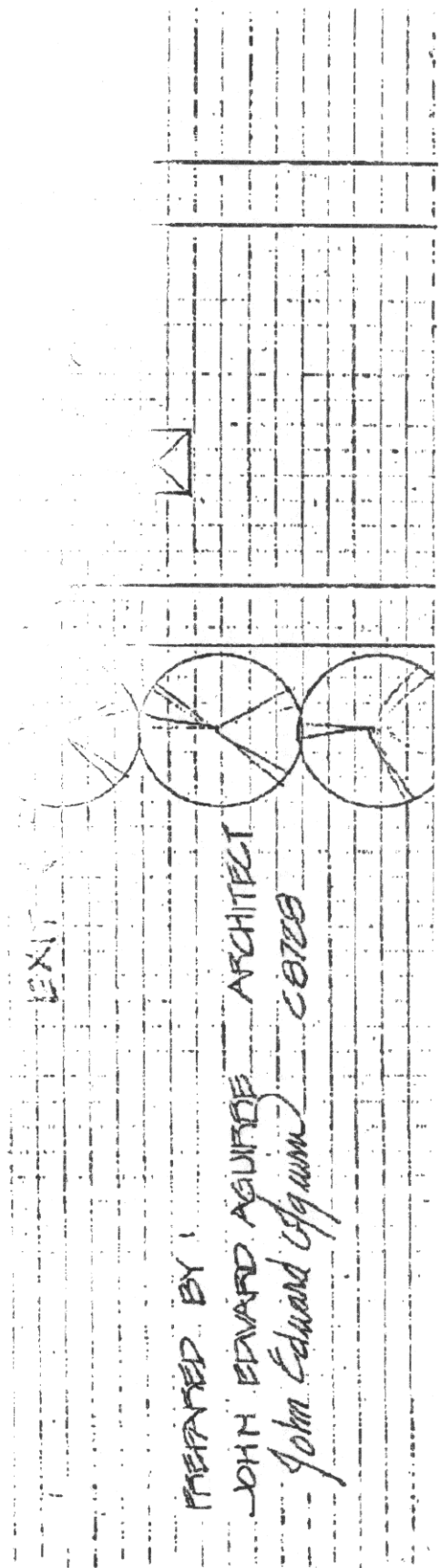


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RIVER CITY CHILDCARE

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PREPARED BY:

JOHN EDWARD AGUIRRE ARCHITECT
John Edward Aguirre CORP

Aug 22 07 05:44p

Lodi Fire Department

209 333 6844

P.2

**CITY OF LODI
FIRE DEPARTMENT**

25 EAST PINE STREET
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Battalion Chief

Ron Heberle
Training Officer

August 22, 2007

Headstart CDC

Attn: Ms. JoAnn Madrid, Compliance Coordinator
2451 Country Club Blvd.
Stockton, CA 95204

RE: Pre-Inspection,
Lodi UCC Headstart
Lodi United Congregational Church
701 S. Hutchins, Lodi, CA

Dear Ms. Madrid:

I conducted the pre-inspection of the above noted facility today in regards to the request for an addition of 2 existing rooms and 2 existing restrooms to your State Licensed Headstart Facility. During the inspection I noted the following items in need of correction.

1. **The addition of the 2 existing rooms and 2 existing restrooms** belonging to the church to your facility requires approval for a **change of use/occupancy**. Please provide plans to the building department for review for a change of use. Include a site plan, floor plan, construction type, etc. Contact the City of Lodi Building Department at (209) 333-6711 for further information.
2. **Fire Alarm:** The fire alarm will need to be extended into the new classrooms once they have been approved for a change of **occupancy**. Submit plans separately to the Lodi Fire Department for permit and approval.

Please call when you are ready for a reinspection

If you have any questions, please contact Fire Prevention at (209) 333-5535.

Sincerely,

Jeri Christiano, Fire Inspector
Lodi Fire Department